

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

2012 SEP 26 PM 2:5

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARIO RIVAS,

Defendant.

THE GRAND JURY CHARGES:

§ CRIM. NO. EP-12-CR-

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

INDICTMENT

CT 1: 21 U.S.C. § 963; Conspiracy to
Import a Controlled Substance

CT 2: 21 U.S.C. § 963; Conspiracy to
Import a Controlled Substance

CT 3: 21 U.S.C. § 846; Conspiracy to
Possess a Controlled Substance with
Intent to Distribute;

CT 4: 21 U.S.C. § 846; Conspiracy to
Possess a Controlled Substance with
Intent to Distribute;

CT 5: 18 U.S.C. § 924(o) & 2;
Conspiracy to Possess Firearms in
Furtherance of a Drug Trafficking Crime
and Aid & Abet

CT 6: 18 U.S.C. § 924(h) & 2; Knowing
Transfer of Firearms for Use in a Drug
Trafficking Crime and Aid & Abet

EP 12CR2271

COUNT ONE
(21 U.S.C. § 963)

Beginning on or about July 25, 2005, and continuing to on or about September 8, 2012, in
the Western District of Texas, the Republic of Mexico, and elsewhere, the Defendant,

MARIO RIVAS,

and other persons, both known and unknown to the Grand Jury, knowingly did combine,
conspire, confederate, and agree together and with each other to import into the United States
from the Republic of Mexico, a controlled substance, which offense involved five (5) kilograms

or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, contrary to Title 21, United States Code, Sections 952(a) and 960(a) and (b)(1)(B).

All in violation of Title 21, United States Code, Section 963.

COUNT TWO
(21 U.S.C. § 963)

Beginning on or about July 25, 2005, and continuing to on or about September 8, 2012, in the Western District of Texas, the Republic of Mexico, and elsewhere, the Defendant,

MARIO RIVAS,

and other persons, both known and unknown to the Grand Jury, knowingly did combine, conspire, confederate, and agree together and with each other to import into the United States from the Republic of Mexico, a controlled substance, which offense involved one thousand (1000) kilograms or more of a mixture and substance containing a detectable amount of marijuana, a Schedule I Controlled Substance, contrary to Title 21, United States Code, Sections 952(a) and 960(a) and (b)(1)(G).

All in violation of Title 21, United States Code, Section 963.

COUNT THREE
(21 U.S.C. § 846)

Beginning on or about July 25, 2005, and continuing to on or about September 8, 2012, in the Western District of Texas, the Republic of Mexico, and elsewhere, the Defendant,

MARIO RIVAS,

and other persons, both known and unknown to the Grand Jury, knowingly did combine, conspire, confederate, and agree together and with each other to distribute and to possess with intent to distribute a controlled substance, which offense involved five (5) kilograms or more of a

mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, contrary to Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

All in violation of Title 21, United States Code, Section 846.

COUNT FOUR
(21 U.S.C. § 846)

Beginning on or about July 25, 2005, and continuing to on or about September 8, 2012, in the Western District of Texas, the Republic of Mexico, and elsewhere, the Defendant,

MARIO RIVAS,

and other persons, both known and unknown to the Grand Jury, knowingly did combine, conspire, confederate, and agree together and with each other to distribute and to possess with intent to distribute a controlled substance, which offense involved one thousand (1000) kilograms or more of a mixture and substance containing a detectable amount of marijuana, a Schedule I Controlled Substance, contrary to Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

All in violation of Title 21, United States Code, Section 846.

COUNT FIVE
(18 U.S.C. § 924(o) and 18 U.S.C. § 2)

Beginning on an exact date unknown but on or about January of 2012, and continuing to on or about September 8, 2012, in the Western District of Texas, the Republic of Mexico, and elsewhere, the Defendant,

MARIO RIVAS,

knowingly combined, conspired, confederated, and agreed with other persons, both known and unknown to the Grand Jury, to commit offenses against the United States, that is, the Defendant conspired to possess firearms in furtherance of the drug trafficking crimes charged in Counts

One, Two, Three, and Four of this Indictment, re-alleged herein, contrary to Title 18, United States Code, Sections 924(c)(1) and (2), and did aid and abet others to do so.

All in violation of Title 18, United States Code, Section 924(o).

COUNT SIX
(18 U.S.C. §§ 924(h) and 18 U.S.C. § 2)

Beginning on or about March 20, 2012, and continuing to on or about April 17, 2012, in the Western District of Texas, the Republic of Mexico, and elsewhere, the Defendant,

MARIO RIVAS,

did knowingly transfer the following firearms:

- (1) a FEG, model SA2000M, 7.62 x 39 caliber rifle, bearing serial number EE5317H;
- (2) a L.A.R., Inc, model T-50, .50 caliber rifle, bearing serial number X003343;
- (3) a Double Star Corp, model Star-15, 5.56 caliber rifle, bearing serial number DS33714; and
- (4) a FEG, model SA2000M, 7.62 x 39 caliber rifle, bearing serial number EF4565H;

knowing those firearm would be used to commit a crime of violence, that is, possession of a firearm in furtherance a drug trafficking crime in violation of Title 18, United States Code, Section 924(c)(1) and (2), and to commit a drug trafficking crime, that is, conspiracy to import into the United States from the Republic of Mexico, a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance and a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 952(a), 960(a), (b)(1)(B), and (b)(1)(G), and 963, and did aid and abet others to do so.

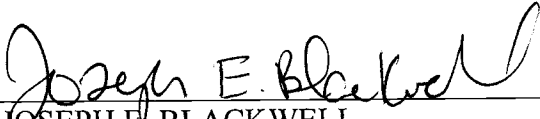
All in violation of Title 18, United States Code, Sections 924(h) and 2.

A TRUE BILL ORIGINAL SIGNATURE
REDACTED PURSUANT TO
E-GOVERNMENT ACT OF 2002

FOREPERSON OF THE GRAND JURY

ROBERT PITMAN
UNITED STATES ATTORNEY

BY:



JOSEPH E. BLACKWELL
ASSISTANT UNITED STATES ATTORNEY